

OGC Has Reviewed

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OGC 76-1439
22 March 1976

MEMORANDUM FOR: Director of Training

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SUBJECT : Agreements to Permit Taking Game [REDACTED]

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1. You have asked this Office for an opinion concerning the propriety of [REDACTED] entering into an agreement with non-Agency personnel for the purpose of taking game from [REDACTED] property. You have indicated a problem exists as a result of illegal entry onto the [REDACTED] by poachers whose main purpose appears to be to rid the area of raccoons.

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2. It would seem, based on your feeling that the illegal entries will be reduced as a result of permitting a few supervised individuals to take game, that agreements permitting such activity would be appropriate.

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[REDACTED]

Although not necessary, you may find it preferable for the convenience to inform parties to your proposed agreement that they will be expected to obey state game laws.

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4. Concerning the sample agreement which you have enclosed, it would seem to be legally binding and fairly comprehensive. In drawing up an agreement for [REDACTED] important points to include are:

a. A statement of consideration as contained in paragraph one of the sample. (Though it is not necessary to charge a fee for each raccoon.)

b. A statement similar to the first mentioned in paragraph two, relieving the Government of liability.

c. A statement that the agreement may be canceled at any time.

d. As detailed a description as possible of the terms under which game will be taken.

5. If you would like us to review any agreement which you propose for [REDACTED] we would be happy to do so.

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[REDACTED]
Office of General Counsel